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Item 3 (a) of the provisional agenda*

ORGANIZATIONAL MATTERS: ADOPTION OF THE RULES OF PROCEDURE

Provisional rules of procedure

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I. REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

1. Each State participating in the Conference shall be represented by a head of delegation and such other accredited representatives, alternate representatives, experts and advisers as may be required.

2. The head of a delegation may designate an alternative representative or an adviser to act as a representative.

Submission of credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference, if possible not later than 24 hours after the opening of the Conference. The credentials shall be issued by the head of the State or Government or by the Minister for Foreign Affairs.

Examination of credentials

Rule 3

The Bureau of the Conference shall examine the credentials and report thereon to the Conference without delay.

Provisional participation in the Conference

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Elections

Rule 5

The Conference shall elect a President, two Vice-Presidents and a Rapporteur from the representatives of the States participating in the Conference. These officers shall constitute the Bureau of the Conference.

Acting President

Rule 6

1. If the President finds it necessary to be absent from a meeting or any part thereof he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but may designate another member of his delegation to vote in his place.

III. SECRETARIAT OF THE CONFERENCE

Duties of the Executive Secretary

Rule 8

1. The Executive Secretary of the Conference appointed by the Secretary-General of the United Nations shall act in that capacity in all meetings of the Conference and its subsidiary organs. He may designate another member of the secretariat to act in his place at these meetings.

2. The Executive secretary shall direct the staff required by the Conference.

Duties of the secretariat

Rule 9

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate and circulate the documents of the Conference;

(c) Publish and circulate the report of the Conference;

(d) Make and arrange for the keeping of sound recordings of meetings;

(e) Arrange for the custody of the documents of the Conference in the archives of the United Nations;

(f) Generally perform all other work that the Conference may require.

Statements by the secretariat

Rule 10

The Executive Secretary of the Conference, or any member of the secretariat designated by him for that purpose, may, subject to rule 15, make statements concerning any question under consideration.

IV. CONCLUSIONS OF THE CONFERENCE

Report

Rule 11

The Conference shall adopt a report, the draft of which shall be prepared by the Rapporteur.

V. CONDUCT OF BUSINESS

Quorum

Rule 12

The President may declare a meeting open and permit debate to proceed when at least one third of the representatives of the States participating in the Conference are present. The presence of representatives of a majority of such States shall be required for any decision to be taken.

General powers of the President

Rule 13

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conferece; he shall declare the opening and closing of each meeting, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the

vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closing of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each participant in the Conference may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Points of order

Rule 14

During the discussion of any matter, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 15

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 14, 16 and 19 to 22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate will be confined to the question before the Conference and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to speakers and the number of times participants may speak on a question. Permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes and on other matters to 15 minutes by representatives of States and to 10 minutes by other participants.

Precedence

Rule 16

The presiding officer or rapporteur of a committee may be accorded precedence for the purpose of explaining the conclusions arrived at by the committee.

Closing of the list of speakers

Rule 17

During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When there are no more speakers, the President shall, with the consent of the Conference, declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 20.

Right of reply

Rule 18

1. Notwithstanding rule 17, the President shall accord the right of reply to a representative of any State participating in the Conference who requests it. Any other representative may be granted the opportunity to make a reply.

2. Statements made under this rule shall normally only be permitted at the end of the day whenever two meetings have been scheduled that are devoted to the consideration of the same item.

3. The representatives of a State may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes; representatives shall in any event attempt to be as brief as possible.

Adjournment of debate

Rule 19

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 22, be immediately put to the vote.

Closure of debate

Rule 20

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 22, be immediately put to the vote.

Suspension or adjournment of the meeting

Rule 21

Subject to rule 33, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 22, be immediately put to the vote.

Order of motions

Rule 22

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 23

Proposals and substantive amendments shall normally be submitted in writing to the Executive Secretary of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, substantive proposals shall be discussed or put to the vote no earlier than 24 hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 24

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decisions on competence

Rule 25

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

Reconsideration of proposals

Rule 26

When a proposal has been adopted or rejected, it may not be reconsidered unless the Conference, by a two thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VI. DECISION-MAKING

General agreement

Rule 27

The Conference should make best endeavours to ensure that the work of the Conference and the adoption of its report are accomplished by general agreement.

Voting rights

Rule 28

Each State participating in the Conference shall have one vote.

Majority required

Rule 29

1. Subject to rule 27, decisions of the Conference shall be taken by a majority of the representatives present and voting.

2. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

Meaning of the phrase "representatives present and voting"

Rule 30

For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Method of voting

Rule 31

Except as provided in rule 38, the Conference shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".

Explanations of vote

Rule 32

Representatives may make brief statements consisting solely of an explanation of their votes, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.

Conduct during voting

Rule 33

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the process of voting.

Division of proposals

Rule 34

A representative may move that parts of a proposal be voted on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Amendments

Rule 35

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

Order of voting on amendments

Rule 36

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Order of voting on proposals

Rule 37

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on in the order in which they were submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.

3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a vote is taken on the proposal in question.

Election

Rule 38

All elections shall be held by secret ballot, unless the Conference decides otherwise.

Rule 39

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

VII. SUBSIDIARY BODIES

Committees

Rule 40

The Conference may establish such committees as may be necessary for the performance of its functions. Items relating to the same category of subjects may be referred to the committee dealing with that category of subjects.

Officers and procedure

Rule 41

The rules relating to officers (chapter II), the secretariat of the Conference (chapter III), the conduct of business of the Conference (chapter V), decision-making (chapter VI) and languages and records (chapter VIII) shall be applicable, *mutatis mutandis*, to the proceedings of committees, except that:

(a) Each committee shall elect a presiding officer and such other officers as it may require;

(b) A committee may dispense with certain language interpretation facilities if there is no objection on the part of the delegations directly concerned.

VIII. LANGUAGE AND RECORDS

Languages of the Conference

Rule 42

English, French and Spanish shall be the languages of the Conference.

Interpretation

Rule 43

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference if he/she provides for interpretation into one such language.

Languages of resolutions and other formal decisions

Rule 44

All resolutions and other formal decisions of the Conference shall be published in the languages of the Conference.

Languages of reports

Rule 45

Any reports submitted by the Bureau or by the committees established in accordance with rule 40, as well as the report of the Conference referred to in rule 11, shall be published in the languages of the Conference.

Records of meetings

Rule 46

1. There shall be neither verbatim nor summary records of meetings.

2. Sound recordings of meetings of the Conference and of its committees shall be made and kept in accordance with the practice of the United Nations.

IX. PUBLIC AND PRIVATE MEETINGS

General principles

Rule 47

The plenary meeting of the Conference and the meetings of its committees shall be held in public unless the body concerned decides otherwise.

X. OBSERVERS

Representatives of the specialized agencies and other intergovernmental organizations

Rule 48

1. Representatives designated by the specialized agencies and other intergovernmental organizations invited to the Conference may participate as observers in the deliberations of the Conference and its committees.

2. Upon the invitation of the presiding officer of the Conference body concerned and subject to the approval of that body, such representatives may make oral statements on questions within the scope of their activities.

Representatives of non-governmental organizations

Rule 49

1. Non-governmental organizations invited to the Conference may designate representatives to sit as observers at public meetings of the Conference and its committees.

2. Upon the invitation of the presiding officer of the Conference body concerned and subject to the approval of that body, such observers may make oral statements on questions in which they have a special competence.

Written statements

Rule 50

Written statements related to the work of the Conference submitted by the designated representatives of the organizations referred to in rules 48 and 49 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution.

XI. AMENDMENT AND SUSPENSION OF THE RULES OF PROCEDURE

Method of amendment

Rule 51

These rules of procedure may be amended by a decision of the Conference taken after the Bureau has reported on the proposed amendment.

Method of suspension

Rule 52

Any of these rules may be suspended by the Conference provided that 24 hours notice of the proposal for the suspension has been given, which may be waived if no reresentative objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.